**HON'BLE SRI JUSTICE GODA RAGHURAM**

**W.P.NO. 2294 OF 2007**

**DATED: 8.2.2007**

Between:

P. Premasai Babu

... Petitioner

and

The Greater Municipal Corporation of Visakhapatnam and others

...

Respondents

**HON'BLE SRI JUSTICE GODA RAGHURAM**

**W.P.No.2294 of 2007**

**ORAL ORDER:**

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According to the impugned endorsements, in particular the endorsement dated 3.6.2006 of the 2nd respondent, the petitioner's application for demarcation of land and issue of title deeds in respect of an extent of Ac.3.86 cents in Sy.No.17/7 (old survey No.13) of Chinagadila village and mandal and an extent of Ac.0.50 cents in Sy.No.29, was rejected on the grounds recorded in the endorsement dated 3.6.2006.

The petitioner assails the facts on the basis of which his application is rejected. According to the petitioner, land in an extent of Ac.3.86 cents in Sy.No.17/7 is claimed by the petitioner as owned by him and inherited from his ancestors was not acquired for the purposes of the Government Dairy Farm, Visakhapatnam, as is apparent from a communication dated 10.5.2006 addressed by the Special Tahsildar, Land Acquisition, Visakhapatnam to the 2nd respondent. This communication was in response to a

query by the 2nd respondent addressed in May 2006, soliciting information as to the extent of land acquired in Sy.No.17/7.

Admittedly, as against an order of the 2nd respondent declining grant of a pattedar passbook, the aggrieved person has an appellate remedy before the RDO under the provisions of the A.P. Rights in Land and Pattedar Passbooks Act, 1971 (for short 'the Act'). The issues presented for resolution in this writ petition are essentially contested positions of fact. Such disputes have a better adjudicative disposition before an appellate forum under the provisions of the Act or before a civil court of competent jurisdiction. Article 226 of the Constitution is not the appropriate platform for resolution of such disputes.

On the aforesaid analysis, the writ petition is dismissed with liberty to the petitioner to pursue the available statutory or other remedies, alternative to Art.226. No costs.

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**GODA**

**RAGHURAM, J**
**Date: 8.2.2007**
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